

Recycling Public Advisory Council

Meeting Minutes for Wednesday, March 25, 2015

Location: Grotto Pizza, 1159 N. DuPont Highway, Dover, DE 19901

Members present: BJ Vinton, Chairman (CSWSC)
Paul Bickhart (Recycling Industry)
Dick Cecil (DE Association of Counties)
Marianne Cinaglia (DeEASI)
Marjorie Crofts (DNREC)
Kelly Davis (Educator, DelTech-Owens Campus)
Michael Fusca (Alcohol Beverage Industry)
Stan Mills (League of Local Governments)
Mike Parkowski (DSWA)
Coralie Pryde (League of Women Voters)
Adam Webster (Restaurant Industry)
Julie Miro Wenger (Del. Food Industry Council)

Members absent: George Danneman (Soda Beverage Industry)
Brenna Goggin (Delaware Nature Society)
Brian Nixon (DE Chamber of Commerce)
Bob Ziegler (Waste Hauler Industry)

Non-members present:	Marshall Budin (DNREC)	Todd Hilliker (Wilmington University)
	Kimberly Jarrell (DNREC)	Nancy Marker (DNREC)
	Bill Miller (DNREC)	Kurt Pilarski (Waste Management)
	Paul Sparks (Cascade Cart Solutions)	Jim Short (DNREC)
	Allen Thienpont (Waste Industries)	

Call to Order, Introductions

BJ Vinton called the meeting to order at approximately 1:40PM.

Public Comments - None

Approval of December 3, 2014 Meeting Minutes

The December 2014 meeting minutes were unanimously approved as written.

Approval of January 28, 2015 Meeting Minutes

The January 2015 meeting minutes were unanimously approved as written.

Universal Recycling Grants – Cycle 6

Marshall Budin gave an overview of the grant application status. In brief, sixteen (16) applications requesting \$769,304.00 in funding were received on or before the March 3, 2015 application deadline. Of the 16 applications, seven (7) are from the educational institutions of which four (4) propose to establish or expand district wide recycling programs. The RPAC Grants Scoring Subcommittee will convene on Tuesday, April 14, 2015 to review application scores and develop funding recommendations to present at the April 22, 2015 RPAC meeting. In response to comments made by M. Budin regarding the disproportionate number of applications that were initially received administratively incomplete, several suggestions were made including: revising the grant guidance document with step-by-step application

completion instructions, including an example application; revamping the application so that it can only be completed and submitted online. The Chairman stated that grant application periods were historically linked to implementation of components and diversion goal dates in the Universal Recycling Law. Bill Miller stated that there is approximately five million dollars remaining in the Recycling Grants Fund and it is DNREC's plan to provide grant application periods annually at least through calendar year 2020 coinciding with the diversion goals for Municipal Solid Waste (MSW) and Total Solid Waste.

Jim Short said that he is still working on the City of Wilmington application for recycling grant funds from the 4th grant cycle to underwrite education and outreach activities related to the recycling component of the proposed city wide PAYT (Pay as You Throw) program. DNREC and the City are considering a before and after waste characterization to estimate recovery rates associated with implementing PAYT.

Member Attendance of RPAC Meetings

B.J. Vinton stated that members of the RPAC are expected to attend meetings to assure a quorum of nine (9) members is present to officially conduct RPAC business. He reiterated that nine (9) meetings are scheduled annually with effort made to offer relevant agendas. Per the Recycling Public Advisory Council Bylaws, members are not to miss more than three (3) meetings annually to maintain their standing. Moving forward, members of the RPAC were asked to respond to the meeting announcement email sent out by DNREC staff indicating whether they will or will not attend.

Proposed Changes to Delaware's Regulations Governing Solid Waste

B. Miller gave an overview of proposed changes to Delaware's Regulations Governing Solid Waste touching on the following key points: current exemptions for haulers and transfer station operators handling source separated recyclables and dry waste are proposed to be removed; Beneficial Use Determination "Approvals" will be replaced with "Permits". B. Miller elaborated on the rationale behind changing BUD approvals to permits – larger facilities and more of them similar in scale to Resource Recovery Facilities which are permitted to accept and process non-source separated recyclable materials; increased staff time to review applications, issue approvals, and conduct compliance assessments. Permits allow annual fees, are subject to public notice, and are more enforceable than Approvals.

Paul Bickhart expressed concern that a flat fee may discourage entrepreneurs from entering into the recycling sector and stymie innovation. He suggested a tiered permit fee structure such that a pilot scale facility wouldn't pay as much as a full-scale commercial facility. Other discussion addressed how to identify haulers of source separated recyclables including: current solid waste permits; Department of Revenue list of businesses; and enforcement activity by the DNREC Enforcement Unit. B. Miller reiterated the regulation adoption process is ongoing, stating that a hearing was held and the hearing officer has yet to report to the Cabinet Secretary before a decision is made on the proposed changes.

DNREC Recycling Administrative Funding

Marjorie Crofts stated that there was nothing of note to report at this time and asked to carry over to another meeting.

Recycling Market Update

P. Bickhart characterized recycling market as languishing. OCC is at \$80.00/ton down from \$120.00 - \$125.00 year over year. Scrap metal and plastic prices are also in sharp decline. Mike Parkowski stated that single stream recycling is negative with haulers paying a tipping fee of \$35.00/ton in Sussex County and \$10.00/ton in NCC.

Julie Miro Wenger asked about the status of Peninsula Compost. B. Miller responded that partners are in the process of closure and have no interest in resuming operations at the present site. B. Miller emphasized that DNREC is supportive of composting at a smaller scale. Further discussion centered on the factors contributing to closure of the Peninsula facility including: operational scale; economics; shortage of carbon supply; and contaminant levels in feedstock and finished product. Closing comments

by B.J. Vinton addressed how the principals' had solid operations and marketing plans with signed contracts to supply finished product; however, product quality deficiencies eliminated this early advantage.

Old/New Business

B.J. Vinton said he is working with the Governor's Office to prepare applications to reappoint RPAC members whose terms are expiring. Additionally, he identified a couple of candidates to replace Brenna Goggin whose term expired and asked RPAC Members for suggestions.

Additional Public Comments

Kurt Pilarski representing Waste Management expressed concern that the State Office of Management and Budget's Single Stream Recycling and Solid Waste Contract Bid Solicitation includes a food waste collection provision which doesn't square with the fact that there isn't a food waste composting facility in Delaware. Further, K. Pilarski expressed concern that a respondent's decision to not provide pricing for the food waste removal portion of the solicitation may result in a reduction of scoring points which could alter outcomes if another respondent provided pricing, but has no sustainable option to actually compost the collected food waste. Allen Thienpont of Waste Industries agreed. B.J. Vinton asked for a letter from Waste Management articulating the concern and acknowledged that the meeting minutes will summarize the discussion.

J. Miro Wenger suggested that a press release be prepared about the food waste recycling landscape with an outline of available options, noting that if you say there are no options it may encourage others to fill the void.

Next Meeting

Wednesday, April 22, 2015 1:30PM – 3:30PM, Kent County (location TBD)

Adjourn

Meeting adjourned at approximately 2:50PM.